IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(*Special Original Jurisdiction*)

THURSDAY, THE SIXTH DAY OF APRIL
TWO THOUSAND AND SIX

P R E S E N T

THE HON'BLE SRI JUSTICE V.ESWARAIAH

* * *

WRIT PETITION No.10566 of 2004

Between:

Syed Ahsamuddin, s/o. lateSyed Imamuddin,
Aged about 52 years, 0cc. Business,
R/o.H.No.5-4-59, Kukkatpally,
Rangareddy district, Hyderabad. … Petitioner

Versus

The Commissioner of Municipality,
Kukkatpally Municipality,
Rangareddy district, Hyderabad & Ors. … Respondents

Counsel for the Petitioner: **M/s.V.V.Prabhakara Rao**

Counsel for the Respondents: **GP for Home**
Sri P.Radhakrishna

O R D E R :

The petitioner seeks a writ of mandamus to declare the action of the first respondent and second respondent from interfering with the construction of residential building bearing No.5-4-59, Kukkatpally Municipality, as illegal and arbitrary.

The learned counsel appearing for the petitioner submits that no show cause notice has been issued to the petitioner and only on the apprehension the petitioner filed the present writ petition and obtained interim order from this court. If there are any deviations, it is always open for the first respondent to issue notice and take appropriation action for demolishing the deviation made therein.

Having regard to the facts and circumstances of the case, I consider it appropriate to direct the first respondent not to demolish any of the structure of the residential building bearing No.5-4-59, Kukkatpally Municipality, Ranga Reddy district, without following due process of law.

With the above direction, the writ petition is accordingly disposed of. No costs.

APRIL 06th, 2006. ----------

I s L. V. ESWARAIAH, J.